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Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

ACETO CORPORATION, *et al.*,<sup>1</sup>  
  
Debtors.

Chapter 11

Case No. 19-13448 (VFP)

(Jointly Administered)

**AMENDED NOTICE OF AGENDA OF MATTER SCHEDULED  
FOR HEARING ON JULY 30, 2019 AT 10:00 A.M. (ET)**

**THE HEARING HAS BEEN CANCELLED. NO APPEARANCES ARE  
NECESSARY FOR ANY OF THE AGENDA ITEMS**

**UNCONTESTED MATTERS GOING FORWARD**

1. Debtors' First Omnibus Objection to Certain Duplicative Claims (the "First Omnibus Objection") [Docket No. 691; Filed 6/28/19].

Related Documents:

- a) Affidavit of Service filed by Prime Clerk, LLC [Docket No. 709; Filed

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: Aceto Corporation (0520); Tri Harbor Chemical Holdings LLC (*f/k/a* Aceto Agricultural Chemicals LLC, *f/k/a* Aceto Agricultural Chemicals Corporation) (3948); Tri Harbor Realty LLC (*f/k/a* Aceto Realty LLC) (7634); Kavod Pharmaceuticals LLC (*f/k/a* Rising Pharmaceuticals, LLC, *f/k/a* Rising Pharmaceuticals, Inc.) (7959); Kavod Health LLC (*f/k/a* Rising Health, LLC) (1562); Kavris Health LLC (*f/k/a* Acetris Health, LLC) (3236); KAVACK Pharmaceuticals LLC (*f/k/a* PACK Pharmaceuticals, LLC) (2525); Arsynco, Inc. (7392); and Acci Realty Corp. (4433).

7/10/19]

Objection Deadline: July 23, 2019 at 4:00 p.m. (ET).

Responses Received: Informal comments received from Intralinks, Inc., which the Debtors will address by submitting a revised Exhibit A to the proposed order.

Status: All matters have been resolved, therefore no appearances are necessary.

2. Debtors' Motion for Entry of an Order Authorizing Rejection of Certain Manufacturing and Supply Agreement with Contract Pharmacal Corp. and Granting Related Relief [Docket No. 704; Filed 7/3/19].

Related Documents:

- a) Affidavit of Service filed by Prime Clerk, LLC [Docket No. 708; Filed 7/9/19]

Objection Deadline: July 23, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Status: No appearances are necessary.

3. Debtors' Motion For Entry of an Order Extending the Deadline to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code [Docket No. 636; Filed 6/14/19].

Related Documents:

- a) Affidavit of Service filed by Prime Clerk, LLC [Docket No. 641; Filed 6/17/19]
- b) Consent Bridge Order Pursuant to Section 365(d)(4) of the Bankruptcy Code Extending the Deadline to Assume or Reject Unexpired Leases of Nonresidential Real Property [Docket No. 643; Entered 6/18/19]
- c) Affidavit of Service filed by Prime Clerk, LLC [Docket No. 666; Filed 6/21/19]
- d) Determination of Adjournment Request [Docket No. 728; Granted 7/17/19]

Objection Deadline: July 16, 2019 at 4:00 p.m. (ET).

Responses Received:

- e) Landlord's Limited Objection and Reservation of Rights to Debtors' Motion For Entry of an Order Extending the Deadline to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code [Docket No. 725; Filed 7/17/19]

Status: The Debtors will submit a second consensual bridge order. Therefore, no appearances are necessary. The matter will be continued to August 20, 2019 at 10:00 a.m. (ET).

4. Debtors' Second Omnibus Objection to Certain Disputed Claims Due to Assumption and/or Satisfaction by the Purchaser of the Debtors' Pharma Business [Docket No. 692; Filed 6/28/19].

Related Documents:

- a) Order (A) Authorizing and Approving the Sale of Substantially All Assets Comprising the Debtors' Pharma Business Free and Clear of All Claims, Liens, Rights, Interests, and Encumbrances, (B) Authorizing and Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases Related Thereto, and (C) Granting Related Relief [Docket No. 372; Entered 4/10/19]
- b) Affidavit of Service filed by Prime Clerk, LLC [Docket No. 709; Filed 7/10/19]

Objection Deadline: July 23, 2019 at 4:00 p.m. (ET); extended to a further date solely with respect to Catalent Pharma Solutions, Inc. ("Catalent") and Deerfield Generics, L.P. ("Deerfield").

Responses Received:

- c) Response of FDC Ltd. ("FDC") To Debtors' Second Omnibus Objection to Certain Disputed Claims Due to Assumption and/or Satisfaction by the Purchaser of the Debtors' Pharma Business [Docket No. 746; Filed 7/23/19]
- d) Informal Response of Indoco Remedies, Limited ("Indoco"), attached hereto as Exhibit A [Received by the Debtors on 7/23/19]

Status: The Debtors will submit a revised order. All matters have been resolved, except with respect to the Disputed Claims (as defined in the Second Omnibus Objection) asserted by FDC and the informal response of Indoco. Deerfield and Catalent will withdraw their proofs of claim upon entry of an order on Agenda Item 6. The hearing with respect to FDC will be adjourned to August 20, 2019 at 10:00 a.m. (ET). The Debtors have been unable to make contact

with Indoco and believe that Indoco will not appear at the scheduled hearing.

5. Debtors' Third Omnibus Objection to Certain Disputed Claims Due to Assumption and/or Satisfaction by the Purchaser of the Debtors' Chemical Plus Business [Docket No. 693; Filed 6/28/19].

Related Documents:

- a) Order (A) Authorizing and Approving the Sale of Substantially All Assets Comprising the Debtors' Chemical Plus Business Free and Clear of All Claims, Liens, Rights, Interests, and Encumbrances, (B) Authorizing the Debtors to Perform Their Obligations Under the Purchase Agreement, (C) Authorizing and Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases Related Thereto, and (D) Granting Related Relief [Docket No. 429; Entered 4/16/19]
- b) Affidavit of Service filed by Prime Clerk, LLC [Docket No. 709; Filed 7/10/19]

Objection Deadline: July 23, 2019 at 4:00 p.m. (ET), extended through 7/26/19 for CRG Financial LLC (as assignee of SOCMA).

Responses Received:

- c) Response to Objection to Claim No. 1 of BMW Financial Services NA, LLC [Docket No. 742; Filed 7/22/19]
- d) Response to Objection to Claim No. 2 of BMW Financial Services NA, LLC [Docket No. 743; Filed 7/22/19]
- e) Response to Objection to Claim No. 4 of BMW Financial Services NA, LLC [Docket No. 744; Filed 7/22/19]

Status: The Debtors will submit a revised order. All matters have been resolved. No appearances are necessary.

6. Certification of Consent regarding Cure Objection Stipulation filed by Derek J. Baker on behalf of Shore Suven Pharma, Inc. [Docket No. 715; Filed 7/11/19].

Related Documents:

- a) Order (A) Authorizing and Approving the Sale of Substantially All Assets Comprising the Debtors' Pharma Business Free and Clear of All Claims, Liens, Rights, Interests, and Encumbrances, (B) Authorizing and Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases Related Thereto, and (C) Granting Related Relief [Docket No. 372; Entered 4/10/19]

Objection Deadline: July 23, 2019 at 4:00 p.m. (ET).

Responses Received:

- b) Objection to Debtors' Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 199) and Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 174) [Docket No. 256; Filed on 3/31/19 by Catalent, Inc.]
- c) Joint Objection to Debtors' Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 256) and Objection to Debtors' Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 199) and Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 174) [Docket No. 261; Filed on 4/15/19 by Deerfield Generics, L.P.]
- d) Objection to First Supplemental Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 199) [Docket No. 423; Filed 4/15/19]
- e) Joinder in Response to Objection to Debtors' First Supplemental Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 423) and First Supplemental Notice of Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Proposed Sale of Certain Assets of the Debtors Relating to the Pharma Business (re: Docket No. 199) [Docket No. 424; Filed on 4/15/19 by Deerfield Generics, L.P.]
- f) Debtors' Response to Proposed Resolution of Deerfield and Catalent Objections [Docket No. 740; Filed 7/22/19]

Status: The matter has been resolved. Counsel to the purchaser will submit a revised order. No appearances are necessary.

*[Remainder of page intentionally left blank]*

Dated: July 29, 2019

Respectfully submitted,

**LOWENSTEIN SANDLER LLP**

/s/ Wojciech F. Jung

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*Counsel to the Debtors and  
Debtors-in-Possession*

# **EXHIBIT A**



indoco remedies limited

July 23, 2019

Indoco Remedies Limited  
166 C.S.T. Road Kalina Santacruz (East),  
Mumbai-400098  
India

*Claimant*

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In re:

Chapter 11

ACETO CORPORATION, at al.,<sup>1</sup>

Case No. 19-13448 (VFP)

Debtors

Jointly Administered

DEBTORS' SECOND OMNIBUS OBJECTION TO CERTAIN DISPUTED  
CLAIMS DUE TO ASSUMPTION AND/OR SATISFACTION BY THE  
PURCHASER OF THE DEBTORS' PHARMA BUSINESS

This is with reference to the Second Omnibus Claim Objection dated June 28, 2019 filed by the Counsel to the Debtors and Debtors-in-Possession.

We, Indoco Remedies Limited ("Indoco") have entered into the below mentioned agreements and term sheets and arrangements with Rising Pharmaceuticals Inc. ("Rising") on the basis of which Indoco provided certain services to Rising as more detailed in the invoices listed as Exhibit A.

1. Binding Term Sheet dated December 31, 2015 for the product, Methylprednisolone Acetate Injectable Suspension 20mg/ml, 40mg/ml and 80mg/ml.

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indoco remedies limited

2. Binding Term Sheet dated January 17, 2018 for the product, Atropine Sulfate, 1%.
3. Manufacturing and Supply Agreement dated July 20, 2004 read with the Consent to Assignment letter dated September 2015 read with Amendment Number 1 to the Manufacturing and Supply Agreement dated October 31, 2018 for the products, Diclofenac 0.1%, Ciprofloxacin 0.3% and Levofloxacin 0.5%.

We mention hereunder the name, address the name, address, and telephone number of the person (i) possessing ultimate authority to reconcile, settle, or otherwise resolve the claim on behalf of Indoco and (ii) to whom the Debtors should serve any reply to Indoco Response.

*Name: Mandar Borkar*

*Address: Indoco Remedies Limited, Indoco House, 166 C.S.T. Road Kalina, Santacruz (East), Mumbai-400098, India*

*Telephone Number: +912233861400. Extn 402, +919820296366*

In view of the foregoing, Rising owes Indoco an amount of United States Dollars [221,307] USD, [Two hundred twenty-one thousand three hundred seven] which Indoco hereby claims from Rising. The documentary evidence is supported by the invoices and aforesaid agreements and which are listed as Exhibit 1 and 2 respectively.

For Indoco Remedies Limited

*Borkar*

Name: Mr. Mandar Borkar

Designation: CFO

